

**Testimony – House Administration Committee  
Hearing on Election Reform  
April 25, 2001**

**Testimony by Sharon Priest, President, National Association of Secretaries  
of State and Arkansas Secretary of State**

Fundamental faith in American democracy depends on well-run elections. The election system in America works extremely well. Elections don't just happen; there are numerous people involved. For example, the United States has 7000 jurisdictions, 700,000 voting machines, 22,000 election officials, 1.4 million poll workers and over 100 million voters. It may be useful to describe the role of the entities involved in the process; keeping in mind that the elections process is different in every state. The following is descriptive and not prescriptive. Generally there are three (3) entities involved in the performance of an election. Secretaries of State are responsible for the administration of election laws. County level Election Commissioners/Boards of Canvassers are responsible for Election Day activities; i.e. poll workers, ballot configuration, getting equipment and ballots to their precincts. County Clerks/Auditors are responsible for voter registration, absentee and, if applicable, early voting.

It is my intention to address the resolution adopted by the National Association of Secretaries of State (NASS), although the reader should be aware there are many associations who are studying every aspect of elections including but not limited to Elections law, voting systems standards (including both technical and operational standards), and the role of the federal government. Some of these organizations are The National Conference of State Legislatures (NCSL), The National Association of Counties (NACo), The National Association of State Election Directors (NASED), The National Association of County Recorders, Elections Officials and Clerks (NACRC), The International Association of County Recorders, Election Officials and Treasurers (IACREOT), The International Institute of Municipal Clerks (IIMC) and The Election Center.

Traditionally elections are a function of state and local government.

Following is the resolution adopted February 6, 2001 by NASS.

The National Association of Secretaries of State recommends that State and Local governments and election officials continue to work to:

1. Ensure non-discriminatory equal access to the election systems for all voters, including elderly, disabled, minority, military, and overseas citizens.

2. Encourage the adoption and enforcement of election day rules and procedures to ensure equal treatment of all voters;
3. Modernize the voting process as necessary, including voting machines, equipment, voting technologies and systems and implement well-defined, consistent standards for what counts as a vote throughout the election process ensuring accurate vote counts and minimal voter error;
4. Encourage states to adopt uniform state standards and procedures for both recounts and contested elections, in order to ensure that each vote is counted and to provide public confidence in the election results;
5. Provide elections officials with increased funding to implement the recommendations of this resolution;
6. Conduct aggressive voter education and broad-based outreach programs;
7. Expand poll worker recruitment and training programs by adopting the innovative practices of other states and localities, with the ultimate goal of providing a satisfactory election day experience for all voters;
8. Maintain accurate voter registration rolls with a system of intergovernmental cooperation and communication;
9. Enhance the integrity and timeliness of absentee ballot procedures;
10. Adopt and adhere to the Voluntary Federal Voting systems Standards for Voting Systems;
11. Provide for continuous training and certification for election officials; and
12. Collect data an election information on a regular and consistent basis to provide a nexus for public consumption and systemic improvements.

NASS further recommends that the Congress:

1. Fully fund the continuous update of the Federal Voting Systems Standards developed in consensus with state and local election officials;
2. Fund the development of voluntary management practices standards for each voting system;
3. Promote intergovernmental cooperation and communication among state and local elections officials to facilitate the maintenance of accurate voter registration rolls; and

4. Provide funding to the States to implement the state and local recommendations of this resolution.<sup>1</sup>

The events surrounding the Florida general election led to the widespread knowledge that not all votes were necessarily counted. In many jurisdictions military and overseas ballots were only counted only if they affected the outcome of the election. Elderly and handicapped voters need reasonable accommodations to cast their ballots. It is alleged in some jurisdictions that the more antiquated equipment is used in minority and low income precincts resulting in higher over or under votes.<sup>2</sup> The nations Secretaries of State strongly believe in equal access for all voters.

Understanding that all elections are subject to challenge, it is imperative that there are statewide standards on voter intent (what constitutes a vote) and recount procedures. Modernizing voting systems, updating the equipment and technologies and consistent processes will help inspire voter confidence. It is important to note that there is no “one size fits all” answer, due to the diversity of the states.

Secretaries of State respect the voter’s commitment to their own responsibility of being knowledgeable of candidates and issues, however, we believe we have an important role to provide information. This information includes where to register to vote as well as the mechanics of how to vote. All states are in compliance with the National Voter Registration Act of 1993 (NVRA)<sup>3</sup> and offer voter registration applications through many state agencies including the Department of Motor Vehicles. All jurisdictions send registered voters information regarding voting districts<sup>4</sup> as well as their precinct name/number and address.

California, Washington and Oregon provide voters with printed information and sample ballots. Many other states provide similar information via the print and electronic media and the internet. The nation’s secretaries believe that more outreach can and should be done in these areas and the outreach should include training on the use of voting equipment, not only for young voters but also for adult first time voters.

Poll worker recruitment and training is of tantamount importance. America has an aging election day work force. Three (3) states<sup>5</sup> have changed state law to use students as poll workers on election days. Other aggressive and innovative ideas should be practiced to create sufficient qualified Election Day workers. We believe that one

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<sup>1</sup> *National Association of Secretaries of State Election Reform Resolution*, adopted February 6, 2001 (for public distribution.

<sup>2</sup> Over vote – voting more than once in the same race  
Under vote – not voting in a particular race.

<sup>3</sup> North Dakota, Minnesota, are exempt from NVRA

<sup>4</sup> Congressional district, State House and Senate, County, City and school district (where applicable)

<sup>5</sup> North Dakota, California and Colorado. Most states require that a person be 18 and a qualified elector

reason it is difficult to find workers is the long day that must be worked (13 – 14 hours). A large pool of workers would alleviate that problem by offering to split the day. This may require change in some state statutes as well. Recruitment is only one answer, training of election day workers is very important to insure public confidence. A few states now require training, some are offering voluntary training. NASS believes in mandatory poll worker training.

Maintaining accurate voter rolls is necessary to insure that all registered voters can exercise their right to vote and invoke confidence in the integrity of the election process. NASS believes that cooperation both intrastate and interstate best provides assurance that people are not registered in more than one state thus reducing the chance of fraud.

Many jurisdictions require certification of police officers, assessors, homebuilders, home inspectors and NASS believes the people of this country are better served by requiring certification of election officials as well.

Statistical information should be collected regarding elections to provide base-line data to identify potential problems in the system.

It is time for state and local governments to accept responsibility to adequately fund elections.

NASS supports all states adopting the Federal Voting System Standards. These standards are a product of the Office of Election Administration of the Federal Election Commission.

Congress also has an integral role to play and should provide sustained funding for the Office of Election Administration to update the Federal Voting System Standards, which have not been updated since 1990 and to resume its data collection and research service. NASS also supports federal funding for OEA to develop management practice systems for voluntary adoption by the states. NASS supports federal funding to implement these recommendations by state and local governments.

These points were general in nature and represent issues that were obvious to us as a result of the years of collective election experience represented by NASS. The refinement of these sixteen (16) points from general to specific criteria for implementation will be announced this summer. The previously mentioned organizations: NCSL, NACo, NASED, NACRC, IACREOT, IIMC, and the Election Center are also working toward summer deadlines.

There is every reason to believe that there are many areas of commonality among these organizations, as was shown in a recent April 2001 summit when for the first time representatives of all these organizations met.

The area of agreement seem to be found in the following points:

1. The system must be fair to all voters. All jurisdictions should make every effort to ensure the equal treatment of all voters.
2. We are committed to making every reasonable accommodation in order to ensure the right to vote for elderly and disable Americans.
3. States need to establish, either through legislation or administrative rules, with input from local election officials:
  - coordinated statewide databases of voter rolls
  - statewide standards for what constitutes a vote by system
  - statewide standards for voting recounts
4. State election officials should gather data on rates of over and under votes and other relevant information to provide base-line data and to identify potential problems in the system.
5. Well-trained and committed Election Day workers are critical to the election system and voter confidence. Election officials should continue to develop creative and proactive methods for recruiting and training Election Day workers.
6. Election jurisdictions should make every effort to increase voter awareness regarding when, where, and how to register and to vote.
7. Congress should provide sustained funding for the Office of Election Administration to update and maintain voting system standards (including both technical and operational standards) and to resume its data collection and research service.
8. States are in the best position to evaluate their own needs. Therefore, if federal funding to states is proposed, funds should be applicable to a variety of needs on a block grant basis.
9. Any federal funding provided for the purpose of voter education should be generic and universal; it should not be targeted for any specific group.
10. To fully implement congressional intent of the National Voter Registration Act (1993), Congress should fund a new discount rate for official election mail.<sup>6</sup>

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<sup>6</sup> *Coalition of Election Officials Statement*, adopted April 12, 2001 by NASS, NCSL, NACo, NASED, NACRC, IACREOT, IIMC, The Election Center.

The nation's Secretaries of State embrace the country's newly sparked interest in the elections process and are committed to ensuring that every voter is informed, confident and satisfied with the elections process.